

**City of Greensboro Planning Department  
Zoning Staff Report and  
Plan Amendment Evaluation  
April 10, 2006 Public Hearing**

*The information provided in this staff report has been included for the purpose of reviewing proposed zoning changes. Since the zoning process does not require a site plan, there may be additional requirements placed on the property through the Technical Review Committee process to address subdivision and development regulations.*

**Item:** O  
**Location:** 1431 & 1433 New Garden Road (Southwest quadrant of New Garden Road and Garden Lake Drive)

**Applicant:** Charles H. and Karen M. Michaux  
**Owner:** Charles H. and Karen M. Michaux

**GFLUM**

**From:** Low Residential  
**To:** Mixed Use Commercial

**Zoning**

**From:** RS-15  
**To:** CD-GO-M

- Conditions:**
- 1) All uses permitted under GO-M except: Kennels or Pet Grooming Services, Land Clearing and Inert Debris Landfills, and Junked Motor Vehicles.
  - 2) Any building on the subject property shall be constructed primarily with brick or masonry materials.
  - 3) Any building on the subject property shall be limited to one story in height.
  - 4) Limited to one access point on New Garden Road and one access point on Garden Lake Drive.
  - 5) The buffer along the southern and western lines of the subject property shall be as double the planting rate required under the ordinance.

SITE INFORMATION	
Maximum Developable Units	N/A
Net Density	N/A
Existing Land Use	1 Single Family Dwelling / 1 Undeveloped Lot
Acreage	1.416
Physical Characteristics	<i>Topography:</i> Downward westerly slope <i>Vegetation:</i> Mature trees / Grass <i>Other:</i> N/A
Overlay Districts	N/A
Historic District/Resources	N/A
Generalized Future Land Use	Low Residential
Other	N/A

SURROUNDING ZONING AND LAND USE		
Location	Land Use	Zoning
North	Single Family	RS-15
South	McKinley Townhomes	CD-RM-8
East	Undeveloped	CD-RS-12
West	Undeveloped	RS-15

ZONING HISTORY		
Case #	Year	Request Summary
		This property has been zoned RS-15 since July 1, 1992. Prior to the implementation of the UDO, it was zoned Residential 120S.

DIFFERENCES BETWEEN RS-15 (EXISTING) AND CD-GO-M (PROPOSED) ZONING DISTRICTS	
<b>RS-15:</b> Primarily intended to accommodate moderate density single family detached dwellings in developments where public water and sewer service is required. The overall gross density will typically be 2.5 units per acre or less.	
<b>CD-GO-M:</b> Primarily intended to accommodate moderate intensity office and institutional uses, moderate density residential uses at a density of 12.0 units per acre or less, and supporting service uses. See Conditions for use limitations and other restrictions.	

TRANSPORTATION	
<b>Street Classification</b>	Garden Lake Drive – Collector Street, New Garden Road – Major Thoroughfare.
<b>Site Access</b>	One proposed via New Garden Road and one proposed via Garden Lake Drive.
<b>Traffic Counts</b>	New Garden Road ADT = 22,000, Garden Lake Drive ADT = 800.
<b>Trip Generation</b>	24 Hour = 2,056, AM Peak = 97, PM Peak = 256.
<b>Sidewalks</b>	Requirement per Development Ordinance. A 6' sidewalk w/ a 4' grass strip is required along both sides of thoroughfares. A 5' sidewalk w/ a 3' grass strip is required along all other streets.
<b>Transit</b>	No.
<b>Traffic Impact Study</b>	Yes required per TIS Ordinance. Please see the Additional Information section of this staff report.
<b>Street Connectivity</b>	N/A.
<b>Other</b>	N/A.

ENVIRONMENTAL REVIEW	
<b>Water Supply Watershed</b>	Yes, site drains to Greensboro Watershed
<b>Floodplains</b>	N/A
<b>Streams</b>	N/A
<b>Other</b>	Maximum amount of built upon area per watershed density is 70% of the site acreage (high density development). If high density development is proposed all the built upon area must drain and get treated by a State approved device (pond or similar).

LANDSCAPING REQUIREMENTS	
<b>Location</b>	<b>Required Planting Yard Type and Rate</b>
<i>North</i>	Street Yard - 8' avg. width; 2 canopy/100', 4 understory/100', 17shrubs/100'
<i>South</i>	Type B Yard - 30' avg. width; 3 canopy/100'; 5 understory/100', 25 shrubs/100'
<i>East</i>	Street Yard - 8' avg. width; 2 canopy/100', 4 understory/100', 17shrubs/100'
<i>West</i>	Type B Yard - 30' avg. width; 3 canopy/100'; 5 understory/100', 25 shrubs/100'

## CONNECTIONS 2025 COMPREHENSIVE PLAN POLICIES

### Connections 2025 Written Policies:

**POLICY 5F.2:** *Improve design standards for new development* to enhance community appearance and sense of place (visual impacts on adjacent neighborhoods).

**Housing and Neighborhoods Goal:** Meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities.

**POLICY 6A.4:** Implement measures to **protect neighborhoods from potential negative impacts of development**, redevelopment, and/or public projects that are inconsistent with the neighborhood's livability, architectural or historical character, and reinvestment potential.

**POLICY 7C.1:** Ensure that adequate land is zoned and has infrastructure available for the various stages of business development.

### Connections 2025 Map Policies:

*The area requested for rezoning lies within the following map classifications:*

#### Existing:

**Low Residential (3-5 d.u./acre):** This category includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within this density range. Although there are some existing residential areas in the City developed on lots greater than 1/3 acre, future residential developments and "conventional" subdivisions should generally maintain a gross density of no less than three dwellings per acre, except where environmental constraints (e.g., the Watershed Critical Area) prevent such densities from being

achieved. Compact developments that include clustered, small lots with substantial retained open space are encouraged.

Proposed:

Mixed Use Commercial: This designation is intended to promote a mix of uses, of which various commercial uses remain predominant, but where residential, service, and other uses are complementary. Where applied to older highway corridors characterized by “strip” commercial uses, the intent is to encourage infill and redevelopment for a more diverse and attractive mix of uses over time. Examples include residential units over commercial uses or a wider array of economically viable uses to replace obsolete uses. Such areas also may represent opportunities for the introduction of substantial higher density and/or mixed-income housing, with negligible impacts on, or resistance from, nearby single-family neighborhoods. Ensuring that buildings are of the appropriate scale and intensity is critical, as is ensuring that sites are designed in a coordinated, as opposed to a lot-by-lot, manner. New “strip” commercial development is discouraged.

COMPREHENSIVE PLAN AMENDMENT HISTORY		
Case #	Date	Request Summary
N/A		There have not been any map amendments in the immediate vicinity of this case.

#### APPLICANT STATED REASONS FOR REQUEST

**Explain in detail why the change is needed and a justification for such a change:**

We have filed an application to rezone this property for a bank. The Comprehensive Plan Future Land Use Map calls for Low Density Residential and the requested rezoning is CD-GO-M, which, if approved would make this a mix of commercial and moderate and low residential in this area.

**Explain in detail the conditions that you think may warrant a Plan Amendment (i.e. unforeseen circumstances or the emergence of new information, unanticipated changes in development pattern, rezonings, transportation improvements, economic opportunities, changes in socioeconomic conditions, etc.):**

New Garden Road is a major thoroughfare, 5 lane, median-divided street with a wide range of property uses. Directly across the street is a mix of large office and retail, and this property adjoins single and multi-family developments. A bank site, which is intended, will fit in well in this particular area and is very compatible with area properties.

#### COMPREHENSIVE PLAN ANALYSIS

**Need for the Proposed Change:**

This request entails a change from Low Residential to Mixed Use Commercial on the southwest corner of New Garden Road and Garden Lake Drive. The property is surrounded to the north by a single-family house, to the east by Price Park, the south by McKinley Townhomes, and the west by an undeveloped lot.

Diagonally across the intersection is the Highwoods property which is partially developed with the FNB Southeast office building and other commercial service uses. Also located at the interchange of New Garden Road and Bryan Boulevard is the New Garden Crossing Shopping

Center. From the interchange south to the subject property is a natural transition of land uses from the shopping center, to Crowne Garden Apartments, to Cross of Christ Lutheran Church, to two single-family homes, to this site. Although this property is located along a major thoroughfare, Garden Lake Road is a residential street and staff feels that the use of this property would be better as low residential. The Plan discourages stripping commercial along corridors and staff feels that the major node of commercial development at New Garden Road and Bryan Boulevard is sufficient to serve this area. Additionally, based on the existing zoning pattern, the major node mentioned above will accommodate over 1,140,000 square feet of commercial development. Because the commercial node is still developing it appears that there is available commercial space that this use could occupy.

**Effect of the proposed Change on the Need for City Services and Facilities (e.g. roadway level of service, traffic counts, planned road improvements, transit, accidents statistics, and environmental constraints such as; location within a Water Supply Watershed, floodplain, streams):**

**Implications, if any, the Amendment may have for Other Parts of the Plan:**

This could encourage other similar requests to continue south down New Garden Road, thus creating a strip commercial affect. In the same vein, this could encourage similar requests westward along Garden Lake Drive.

**Unforeseen Circumstances or the Emergence of New Information (e.g. significant economic opportunity in Tier 2 or 3):** None

## **COMPREHENSIVE PLAN MONITORING COMMENTS**

The Monitoring Committee met on April 3, 2006, and made the following comments concerning this request:

- Blends o.k. from the New Garden perspective;
- It may not be enough land for multi-family;
- We should not break the land use pattern for this site;
- It threatens the established residential on Garden Lake Drive – don't like it;
- There is no reason to endorse it; and
- There seems to be existing available retail space in the vicinity.

## **CONFORMITY WITH OTHER PLANS**

*The following aspects of relevant plans may be applicable in this case:*

**City Plans:** N/A

**Other Plans:** The New Garden Road Corridor Study (1996) called for this property, all the lots on both sides of Garden Lake Drive, and an extended area on the west side of New Garden Road southward to the site of the federal credit union to remain as single family detached/low density residential.

## STAFF COMMENTS

**Planning:** This request carries commercial zoning farther south along New Garden Road than was anticipated by the New Garden Road Corridor Study.

Staff is concerned about the impact that this request would have on adjacent single family lots on Garden Lake Drive, in addition to the future of Garden Lake Drive itself. Garden Lake Drive is a residential street and it should remain as such.

If this property is no longer viable for single family use, it should be developed for low density townhouses which would be consistent with the Low Residential land use classification on the Generalized Future Land Use Map.

**GDOT:** No additional comments.

**Water Resources:** No additional comments

## STAFF RECOMMENDATION

Based on all the information contained in this report, the Planning Department recommends denial of the Comprehensive Plan amendment to the Mixed Use Commercial land use classification and denial of the rezoning to Conditional District – General Office Moderate Intensity primarily due to:

- There is an existing commercial node that serves this area;
- There appears to be existing available retail space within the commercial node that will accommodate this use;
- There is a natural transition of uses along New Garden Road from the more intensive commercial uses at the New Garden Road/Bryan Boulevard interchange to low density residential use on this site and staff feels that this transition makes the uses in this area compatible with one another; and
- The approval of commercial uses at this intersection may encourage the continuation of commercial south along New Garden Road and the Comprehensive Plan discourages the “stripping out” of commercial uses along our thoroughfares.

## **ADDITIONAL INFORMATION**

### **Proposed Commercial Developments - Traffic Impact Analysis**

Prepared for Garden Lake 1, LLC & Garden Lake 2, LLC

**February 20, 2006**

### **Executive Summary**

The developers of Garden Lake 1, LLC and Garden Lake 2, LLC propose to build two commercial developments off New Garden Road in Greensboro, NC (see figure 1). The Garden Lake 1 project consists of a 14,000 SF pharmacy to be located at the northwest corner of New Garden Road and Garden Lake Drive. This project would have one full access point on Garden Lake Drive and a right-in/right-out on New Garden Road. The Garden Lake 2 project consists of a 4,000 SF drive-in bank to be located at the southwest corner of New Garden Road and Garden Lake Drive. The site plan for this project proposes one full access point on Garden Lake Drive and a right-out only on New Garden Road.

The City of Greensboro has required a traffic analysis to determine the effect of both of these proposed projects. GDOT has further determined that one study could be completed to summarize the combined and individual impacts of both of these projects. Transportation engineering consultant firm *John Davenport Engineering Inc.* was contracted by the developers of these projects to provide this traffic impact analysis. The following intersections were included in the study:

- New Garden Road @ Hobbs Road/ Garden Lake Drive (existing signalized)
- New Garden Road @ Highwoods Circle (existing signalized)
- New Garden Road @ Pharmacy Access #1 (proposed right-in/right-out)
- Garden Lake Drive @ Pharmacy Access #2 (proposed full access - unsignalized)
- Garden Lake Drive @ Bank Access 1 (proposed full access - unsignalized)
- New Garden Road @ Bank Access 2 (proposed right-out only)

These intersections were analyzed for the following scenarios:

- Existing conditions
- 2007 Future no-build
- Future Build (Bank Only)
- Future Build (Pharmacy Only)
- Future Build (Bank and Pharmacy) conditions

The proposed pharmacy is expected to generate approximately 1,234 new daily trips, with 37 peak hour trips occurring during the AM peak and 121 peak hour trips occurring during the PM peak.

The proposed bank is expected to generate approximately 2,056 new daily trips, with 97 peak hour trips occurring during the AM peak and 256 peak hour trips occurring during the PM peak.

The combined development is expected to generate approximately 3,290 new daily trips, with 134 peak hour trips occurring during the AM peak and 377 peak hour trips occurring during the PM peak.

The build-out year for both projects is projected to be 2007.

The following is a level of service table for the projected impact of these developments:

Level of Service Table										
Intersection	AM Peak (7-9 AM)					PM Peak (4-6 PM)				
	2005 Existing	2007 Future No-Build	2007 Future Build (Pharmacy)	2007 Future Build (Bank)	2007 Future Build (Combined)	2005 Existing	2007 Future No-Build	2007 Future Build (Pharmacy)	2007 Future Build (Bank)	2007 Future Build (Combined)
New Garden Road @ Hobbs/Garden Lake	A (6.1)	A (9.3)	A (9.3)	A (9.4)	A (9.4)	A (9.5)	C (30.1)	C (30.1)	C (31.1)	C (31.7)
New Garden Road @ Highwoods Circle	B (15.4)	B (16.0)	B (16.5)	B (16.7)	B (17.0)	C (21.6)	C (29.4)	C (29.4)	C (29.4)	C (29.4)
New Garden Road @ Pharmacy Access #1			B (12.5) EBR		B (10.8) EBR			C (15.3) EBR		B (12.3) EBR
Garden Lake @ Pharmacy Access #2			A (9.3) SBL					A (9.1) SBL		
Garden Lake Drive @ Bank Access #1				A (8.6) NBR					A (8.8) NBR	
New Garden @ Bank Access #2				B (11.7) EBR	B (11.8) EBR				B (12.6) EBR	B (12.7) EBR
Garden Lake Drive @ Pharmacy/Bank Access					B (10.9) SBL					B (13.6) SBL



Based on the traffic analysis results, the following recommendations are made:

#### **Pharmacy Only**

##### New Garden Road @ Hobbs Road/ Garden Lake Drive

- No improvements recommended.

##### New Garden Road @ Highwoods Circle

- No improvements are recommended for this intersection under any scenario.

##### New Garden Road @ Proposed Access #1

- Restrict to right-in/ right-out as proposed on site plan.
- Construct a right turn taper into the proposed driveway.
- Per the request of GDOT, the proposed drive should be set back as far as possible from the intersection and still be in accordance to the GDOT Driveway Manual.

##### Garden Lake Drive @ Proposed Access #1

- Construct a separate left turn and thru/ right-combo lane on the Pharmacy approach.
- Per the request of GDOT, the proposed drive should be set back as far as possible from the intersection and still be in accordance to the GDOT Driveway Manual.

#### **Bank Only**

##### New Garden Road @ Hobbs Road/ Garden Lake Drive

- Construct an exclusive left turn lane on eastbound Garden Lake Drive. This lane should continue back to the bank entrance and form a westbound left turn lane into the bank site.

##### New Garden Road @ Highwoods Circle

- No improvements are recommended for this intersection under any scenario.

##### Garden Lake Drive @ Proposed Access #1

- Construct a separate left turn and thru/ right-combo lane on the Bank approach.
- Construct a westbound left turn lane on Garden Lake Road that transitions to an eastbound left turn lane at New Garden Road (widen Garden Lake Road to three lanes from New Garden to the proposed new driveway).
- Per the request of GDOT, the proposed drive should be set back as far as possible from the intersection and still be in accordance to the GDOT Driveway Manual.

#### New Garden Road @ Proposed Access #2

- Restrict to a right-out as proposed on site plan.
- Per the request of GDOT, the proposed drive should be set back as far as possible from the intersection and still be in accordance to the GDOT Driveway Manual.

#### Pharmacy and Bank

#### New Garden Road @ Hobbs Road/ Garden Lake Drive

- Construct an exclusive left turn lane on eastbound Garden Lake Drive. This lane should continue back to the bank entrance and form a westbound left turn lane into the bank site.

#### New Garden Road @ Highwoods Circle

- No improvements are recommended for this intersection under any scenario.

#### New Garden Road @ Proposed Pharmacy Access 1

- Restrict to right-in/right-out as proposed on site plan.
- Construct a right turn taper into the proposed driveway.

#### Garden Lake Drive @ Proposed Pharmacy Access 2/Bank Access 1

- Align both drives to be directly across from each other.
- Construct a separate left turn and thru/right-combo lane on the Pharmacy approach.
- Construct a separate left turn and thru/right-combo lane on the Bank approach.
- Construct a westbound left turn lane on Garden Lake Road that transitions to an eastbound left turn lane at New Garden Road (widen Garden Lake Road to three lanes from New Garden to the proposed new driveways).

#### New Garden Road @ Proposed Bank Access 2

- Restrict to a right-out as proposed on site plan.
- Per the request of GDOT, the proposed drive should be set back as far as possible from the intersection and still be in accordance to the GDOT Driveway Manual.

This study has considered both of the proposed site plans individually and combined to determine the potential impacts of the projects. Analysis indicates that neither project will significantly impact the level of service at any of the studied intersections. All

intersections are projected to operate at a LOS C or better during the analysis year (2007). The recommended improvements will adequately address the additional traffic from of these projects.